

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Dennis A. Cornell, Acting Presiding Justice; Honorable Betty L. Dawson, Associate Justice; Honorable Brad Hill, Associate Justice; and Charlene Ynson, Assistant Clerk/Administrator, by Lisa J. Prosser, Senior Deputy Clerk.

F059184 Wyba C. Nienstadt, Ind. and as Trustee, etc. et al. v. Vitucci; Sagepoint Financial, Inc.

Cause called and argued by Robert Allen Brundage, Esq., counsel for appellant Sagepoint Financial, Inc. and by Chad Weaver, Esq., counsel for appellant Pasquale Vitucci et al. and by Melinda Jane Steuer, Esq., counsel for respondent Wyba C. Neiestadt.

Cause ordered submitted.

At this point Cornell, Acting P.J. directs Levy, Acting P.J. to act as Presiding Justice in his absence, leaves the bench and is replaced by Levy, Acting P.J.

F057211 Smith v. Adventist Health Systems/West et al.

Cause called and argued by Barry S. Landsberg, Esq., counsel for appellant and by Barbara J. Hensleigh, Esq., counsel for respondent.

Cause ordered submitted.

F057212 Smith v. Consolidated Medical Staff of Selma Community Hospital et al.

Cause called and argued by Robert Carlo Coppo, Esq., counsel for appellant and by Barbara J. Hensleigh, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Thursday, October 14, 2010 at 1:30 P.M.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

The court reconvened in its courtroom at 1:30 P.M. Present:
Honorable James A. Ardaiz, Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Charlene Ynson, Assistant Clerk/Administrator, by Melissa Lopez, Assistant Deputy Clerk.

F057719 People v. Limon

Cause called and argued by Manuel J. Baglanis, Esq., counsel for appellant and by Craig S. Meyers, Esq., counsel for respondent.

Cause ordered submitted.

F059202 Citizens for Responsible Growth et al. v. City of Bakersfield; J. Stanley Antongiovanni

Cause called and argued by John Hawks Farrow, Esq., counsel for appellant Citizens For Responsible Growth et al. and by Michael M. Hogan, Esq., counsel for respondent City of Bakersfield and by Sarah Ellen Owsowitz, Esq., counsel for respondent J. Stanley Antongiovanni.

Cause ordered submitted.

Court recessed until Tuesday, October 19, 2010 at 10:00 A.M.

F060374 People v. Pitt et al.

No brief having been filed by appellant Morales after notice duly given under rule 8.220(a)(1) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F059953 People v. Jones

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F058688 In re A.N., a Person Coming Under the Juvenile Court Law

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F059211 People v. Portillo

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F059211 People v. Portillo

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F058483 People v. Alvarez

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F057159 DeAtley v. City of Modesto et al.

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F059275 In re Remar Salango on Habeas Corpus

Filed order denying request for publication of the opinion.

F058076 People v. Salgado

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F058876 People v. Alejandrez

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.